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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

CONSTRUCTION LABORERS TRUST
FUNDS FOR SOUTHERN
CALIFORNIA ADMINISTRATIVE
COMPANY, a Delaware limited liability
company,

Plaintiff,

vs.

MARIO MIGUEL MONTALVO, an
individual doing business as
SUPER MARIO PORTABLE
WELDING; GREAT AMERICAN
INSURANCE COMPANY, an Ohio
corporation; DOE 1 through DOE 10,
inclusive,

Defendants.

CASE NO.: 2:10-cv-01193 DMG-SS

**APPLICATION FOR RENEWAL
OF JUDGMENT BY CLERK**

[NO HEARING SCHEDULED]

Application is made by CONSTRUCTION LABORERS TRUST FUNDS FOR
SOUTHERN CALIFORNIA ADMINISTRATIVE COMPANY, LLC, the
administrator, agent for collection and a fiduciary to the LABORERS HEALTH AND
WELFARE TRUST FUND FOR SOUTHERN CALIFORNIA; CONSTRUCTION
LABORERS PENSION TRUST FOR SOUTHERN CALIFORNIA;
CONSTRUCTION LABORERS VACATION TRUST FOR SOUTHERN
CALIFORNIA; LABORERS TRAINING AND RE-TRAINING TRUST FUND FOR

1 SOUTHERN CALIFORNIA; FUND FOR CONSTRUCTION INDUSTRY
 2 ADVANCEMENT, CENTER FOR CONTRACT COMPLIANCE and LABORERS
 3 CONTRACT ADMINISTRATION TRUST FUND FOR SOUTHERN CALIFORNIA,
 4 (hereinafter referred to as “JUDGMENT CREDITOR”), for a renewal of the Judgment
 5 entered against Judgment Debtor, MARIO MIGUEL MONTALVO, an individual
 6 doing business as SUPER MARIO PORTABLE WELDING, (hereinafter referred to as
 7 “DEBTOR”), entered on August 30, 2011, and renewed on May 23, 2017.

8
 9 1. This Application is made on the grounds that DEBTOR has failed to
 10 satisfy the Judgment entered on August 30, 2011, renewed on May 23, 2017 and
 11 JUDGMENT CREDITOR seeks to extend the period of enforceability of the Judgment
 12 by requesting a Renewal of the Judgment [See, Declaration of Marsha Hamasaki,
 13 (“Hamasaki Decl”) in support of this Application at ¶¶ 3, 4.]

14
 15 2. The last known address for DEBTOR is xxx xxxx
 16 Escondido, California xxxxx.

17
 18 3. Abstracts of Judgment were recorded as follows:

<u>Date:</u>	<u>County:</u>	<u>Instrument No.:</u>
October 17, 2011	San Diego	2011-0544068
November 25, 2011	Ventura	20111125-00179425-0

22
 23 4. Judgment Liens were filed with the California Secretary of State as
 24 follows:

<u>Date:</u>	<u>Instrument No.:</u>
September 29, 2011	11-7286352853
January 9, 2017	17-7565247175
June 28, 2022	U220205947025

5. Recorded Renewal of Judgment and Application for Renewal of Judgment. The Renewal of Judgment and Application for Renewal of Judgment and were recorded as follows:

<u>Date:</u>	<u>Document</u>	<u>County:</u>	<u>Instrument No.:</u>
06/05/2017	Renewal of Judgment	San Diego	2017-0259669
06/05/2017	Application for Renewal	San Diego	2017-0259668
06/05/2017	Renewal of Judgment	Ventura	20170804-00101110-0
06/05/2017	Application for Renewal	Ventura	20170804-00101109-0

6. Interest has accrued on the Judgment at 0.10%, the rate of interest established on the date Judgment was originally entered on August 30, 2011, renewed on May 23, 2017 [Hamasaki Decl. at ¶ 6.] The interest rate is based upon “the rate equal to the coupon issue yield equivalent of the average accepted auction price for the last auction of 52-week United States Treasury bills” settled immediately preceding entry of judgment, as provided for by 28 U.S.C. § 1961 and 40 U.S.C. § 3116.

7. IT IS HEREBY REQUESTED that Judgment against DEBTOR be renewed in the amount of \$68,430.55 as follows:

Renewal of Money Judgment:

a.	Total Judgment.....	\$ 68,082.28
b.	Costs after Judgment.....	\$ 0.00
c.	Less Credits after Judgment.....	\$ 0.00
d.	Interest after Judgment computed from May 23, 2017 to June 30, 2022 at 0.10% accruing at \$0.19 per day.....	\$ 348.27
e.	Total Renewed Judgment.....	\$ 68,430.55

This Application is based on the accompanying Declaration of Marsha M. Hamasaki, Memorandum of Points and Authorities, and the pleadings, records, and

1 files in this action.

2
3 Executed this 30th day of June 2022, in the County of Los Angeles, California.

4
5 I declare under penalty of perjury under the laws of the State of California that
6 the foregoing is true and correct and of my own personal knowledge.

7
8 /s/ Marsha M. Hamasaki
MARSHA M. HAMASAKI

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action; my business address is 3550 Wilshire Boulevard, Suite 2000, Los Angeles, California 90010-2421.

On 6/30/2022, I served the foregoing document described as **APPLICATION FOR RENEWAL OF JUDGMENT BY CLERK** on the interested parties in this action by first class United States mail and by placing

☐ the original ☒ a true copy thereof enclosed in a sealed envelope addressed as follows:

**Mario Miguel Montalvo
SUPER MARIO PORTABLE WELDING**

Escondido, California

☒ (By Mail) As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ (By Fax) I transmitted said document(s) at ___:___ a.m./p.m. to fax telephone number, executed on _____, at Los Angeles, California.

Executed on **June 30, 2022**, at Los Angeles, California.

☒ (Federal Court) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.


Kaitlyn Malarkey